

REMARKS

In response to the election of species requirement, applicant hereby traverses the restriction requirement and provisionally elects Group I, including claims 1-20, 30-43, and 46-47. Claims 44 and 45 have been designated as part of Group II, yet depend from claim 40, which is part of Group I.

Applicant respectfully quotes MPEP 806.05(f), "A product defined by the process by which it can be made is still a product claim (*In re Bridgeford*, 357 F.2d 679, 149 USPQ 55 (CCPA 1966)) and can be restricted from the process if the examiner can demonstrate that the product as claimed can be made by another materially different process; defining the product in terms of a process by which it is made is nothing more than a permissible technique that applicant may use to define the invention."

Here, the Official Action attempts to restrict the product claims 44 and 45 from other product claims. Accordingly, the applicant traverses claims 44 and 45 being restricted from Group I. Applicant hereby elects claims 1-20 and 30-47.

If necessary, applicants request that this response be considered a request for an extension of time appropriate for the response to be timely filed. Applicants request that any required fees needed beyond those submitted with this amendment be charged to the account of Baker & Daniels LLP, Deposit Account No. 02-0390.

The Examiner is invited to contact the undersigned at the telephone number provided below should any question or comment arise during reconsideration of this matter.

Respectfully submitted,



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